

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JASON SCHEAR, EDUARD STANCIU, BAREKET DRORI, STELLA KIM, DANA BEIERLE, MICHAEL MARTINEZ and ODIN REDD, on behalf of themselves and other similarly situated,

Plaintiffs,

v.

FOOD SCOPE AMERICA, INC. d/b/a MEGU TRIBECA, MASAHIRO ORIGUCHI, KOICHI YOKOYAMA and SALVATORE PICARDI

Defendants.

Case No. 12 CV 0594 (AT)(GWG)

**NOTICE OF UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AND APPROVAL OF PROPOSED NOTICES OF SETTLEMENT**

For the reasons set forth in the Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Approval of the Class Action Settlement ("Motion for Preliminary Approval") and the Declaration of Josef Nussbaum in Support of Plaintiffs' Motion for Preliminary Approval ("Nussbaum Declaration"), Plaintiffs respectfully request that the Court enter an Order:

- (1) Granting preliminary approval of the Settlement Agreement and Release ("Settlement Agreement"), attached as Exhibit A to the Nussbaum Declaration;
- (2) Approving the proposed Notice of Class Action Settlement ("Rule 23 Notice") attached as Exhibit B to the Nussbaum Declaration,
- (3) Approving the Parties' proposed schedule for final settlement approval; and
- (4) Granting such other, further, or different relief as the Court deems just and proper.

\* \* \*

Plaintiffs have contemporaneously submitted a Proposed Order, attached as Exhibit C to the Nussbaum Declaration, for the Court's convenience.

Dated: October 7, 2014  
New York, New York

Respectfully submitted,

**JOSEPH & KIRSCHENBAUM LLP**

/s/ Josef Nussbaum/  
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